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David Mail

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EXAMINER

CHAO, MICHAEL W

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/589,417	Applicant(s) MAIL ET AL.	
	Examiner Michael Chao	Art Unit 2442	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 April 2010.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-14,17-21,26-29,31-42,45-49 and 58-60 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-14,17-21,26-29,31-42,45-49 and 58-60 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

This action is in response to applicant's arguments filed 5/06/2010, which was in response to USPTO Office Action mailed 1/06/2010.

Claims 1, 3-14, 17-21, 26-29, 31-42, 45-49 and 58-60 are pending.

Response to Arguments

Applicant's arguments filed 4/20/2010 have been fully considered but they are not persuasive.

Applicant's argument (page 12) that Warsta in view of Malik does not teach "storing said content ID of said firstly transcoded version of multimedia content, as a stored first content ID, in association with said stored multimedia content", stated another way, storing the content ID of a transcoded version of a media in association with the untranscoded media, is not persuasive. Warsta explicitly recites that versions of content are indexed by content ID and terminal type (Warsta paragraph [0058]). Since the content ID identifies both the transcoded content and the original content, the content ID of the transcoded content (content ID and terminal type) is 'in association' with the untranscoded media. This is because the content ID may be used to identify the untranscoded content.

Applicant further argues (paragraph 2 page 13) that the cited paragraph of Warsta (paragraph [58]) does not show the content ID of the transcoded version in association with the stored multimedia content (untranscoded content). However,

1 contrary to Applicants assertion (last line of page 12) that association means stored
2 with, association merely requires that there be some relation between the two. As seen
3 above, the content ID indicates the untranscoded version; thus the adapted contents
4 (content ID and terminal type) tuple is associated with the untranscoded content.

5 Applicant's argument (paragraph 3 page 13) that claim 1 does *not* recite
6 elements of Warsta, is irrelevant because the transitional phrase 'comprising' is open
7 ended. 'Comprising' does not limit the claim to recited elements; therefore, it may be
8 mapped to prior art which contains further elements or steps than those recited by the
9 claim. (See MPEP 2111.03)

10 Applicant's argument (page 13) that Warsta in view of Malik does not teach
11 "using said stored first content ID of said firstly transcoded version of said multimedia
12 content" and "comparing said received content ID with said stored first content ID", is
13 not persuasive.

14 Applicant further argues that Malik's attachment cache is only capable of finding
15 an attachment which is identical to an attachment in a received e-mail message, and is
16 thus incapable of generating the received content ID and comparing it to the stored
17 content ID.

18 To review, Warsta discloses a multi-version content cache. Malik discloses
19 caching attachments and comparing received attachment to stored attachments by
20 checksum determination or comparing header information. Therefore the combination of
21 Warsta in view of Malik yields a multi-version content cache that can compare incoming
22 attachments to stored attachments. Warsta recites a method of determining whether

1 content is stored in the cache (Figure 7 and also paragraph [0061]+) where the content
2 is compared using content ID and terminal type (Figure 6) to determine if a version is
3 cached. Malik's comparison is shown in column 5 line 35. The combination of Warsta in
4 view of Malik would then check for attachments using content ID and terminal type, and
5 when no attachment is found, a new content adaptation is performed (Warsta paragraph
6 [0062]). Therefore, the combination of Warsta in view of Malik teaches the argued
7 lacking elements, in that if it determines the cache does not have a required version of a
8 media, it creates said version for the second media device (the forwarded to device,
9 Malik column 2 line 15)

10 Applicant's argument (page 14-15) that Malik teaches away from the recited:
11 "receiving . . . an instruction to forward said item of multimedia content to a second
12 multimedia device, said instruction comprising a copy of said firstly transcoded version
13 of said multimedia content . . ." because Malik discloses replacing large attachments
14 with pointers, is not persuasive. Applicant's argued portion of Malik (column 3 lines 50-
15 60) recites "when the e-mail server receives an e-mail attachment file that is larger than
16 a threshold size, the server performs a database search for another copy of the
17 attachment file in the mail store. If another copy is located, the system creates a pointer
18 in the mail store". Stated another way, when the mail server of Malik receives an email
19 with an attachment, it prevents duplicates by creating a pointer to a prior stored
20 attachment (see also column 6). This process appears unrelated to applicants argued
21 "instruction to forward said item of multimedia content . . . comprising a copy of said
22 firstly transcoded version" since the pointer is generated at the mail server, and does

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not appear to change the operation of the client system. Moreover, the recitation that “when the e-mail server receives an e-mail attachment . . . performs a database search” explicitly states that the server expects the copy of said multimedia content. Applicant’s argument is not persuasive.

Applicant’s further arguments depend on those addressed and are not persuasive for the reasons stated.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 3-14, 29, 31-42, are rejected under 35 U.S.C. 103(a) as being unpatentable over Warsta et al. (US 2004/0181550, cited in OA dated 7/06/2009), in view of Malik (US 7,003,551, cited in OA dated 7/06/2009).

With respect to claims 1, 29 Warsta teaches: A method for distributing multimedia content, the method comprising:

Storing an item of multimedia content as stored multimedia content at a multimedia message center (MMSC); (“MMSC is responsible for storing incoming and outgoing MMS messages, as well as the transfer of messages between different messaging systems” Warsta paragraph [0044])

1 Firstly transcoding (“the adaptation of content is performed in accordance with
2 the received capabilities” Warsta paragraph [0010]) said multimedia content for
3 playback on a first multimedia device, thereby producing a firstly transcoded version of
4 said multimedia content; (“The requesting network device capabilities are compared to
5 previous requesting network device capabilities, such that if a capability match is found,
6 previously adapted content may be transmitted to the requesting network device” And
7 generally Warsta paragraph [0024])

8 Generating a content ID of said firstly transcoded version of said multimedia
9 content; (“the adapted content is cached within database 616 and indexed according to
10 content ID and terminal type” Warsta paragraph [0058])

11 Storing said content ID of said firstly transcoded version of said multimedia
12 content, as a stored first content ID, in association with said stored multimedia content;
13 (“the adapted content is cached within database 616 and indexed according to content
14 ID and terminal type” Warsta paragraph [0058])

15 Transcoding said stored multimedia content for playback on said second
16 multimedia device (“The requesting network device capabilities are compared to
17 previous requesting network device capabilities, such that if a capability match is
18 found, previously adapted content may be transmitted to the requesting network
19 device, obviating the need for an additional adaptation.” And generally Warsta
20 paragraph [0024]; Also, “Not only are network elements 108 and 110 capable of
21 caching or otherwise storing content 104, but they are also able to cache/store

(hereinafter "cache") the various adaptations of content 104" Warsta paragraph [0029])

Warsta does not explicitly recite:

Receiving, at said MMSC an instruction to forward said item of multimedia content to a second multimedia device, said instruction comprising a copy of said firstly transcoded version of said multimedia content; and

Performing the following in response to said instruction:

Accessing said stored content using said stored first content ID of said firstly transcoded version of said multimedia content, said accessing comprising:

Generating a received content ID of said copy of said firstly transcoded version of said multimedia content; and

Looking up said stored multimedia content by comparing said received content ID with said stored first content ID; and

Malik teaches such lacking elements:

Receiving, at said MMSC an instruction to forward said item of multimedia content to a second multimedia device, said instruction comprising a copy of said firstly transcoded version of said multimedia content; and ("Some of the recipients may in turn forward this e-mail communication to other groups of recipients." Malik column 2 line 15)

Performing the following in response to said instruction:

Accessing said stored content using said stored first content ID of said firstly transcoded version of said multimedia content, said accessing comprising:

Generating a received content ID of said copy of said firstly transcoded version of said multimedia content; and ("The duplication checker next identifies the properties associated with the attachment file in the file header" Malik column 6 line 35)

Looking up said stored multimedia content by comparing said received content ID with said stored first content ID; and ("processing step generates information by which the attachment file comparison section 26 of the duplication checker 24 can search the attachment file storage database 28 for identical attachment files" Malik column 5 line 35)

A person of ordinary skill in the art at the time of invention would have combined Warsta with Malik by including the mail store (item 23 figure 2 of Malik) with the MMSC (item 320 of figure 3 of Warsta) to store attachments (item 29a figure 2 of Malik) and content (Figure 5 of Warsta), thereby allowing forwarding and content ID lookups of Malik by including a message table with forwarding functionality as described in Malik in the invention of Warsta. It would have been obvious at the time the invention was made to a person of ordinary skill in the art to include a 'mail store' in Warsta in order to consolidate the storage for forwarded communications (Malik column 2 line 40).

With respect to claims 3, 31 Warsta teaches: wherein said storing an item of multimedia content comprises storing said item of multimedia content together with an original content identifier (ID) identifying said content. ("the adapted content is cached

1 within database 616 and indexed according to content ID and terminal type” Warsta
2 paragraph [0058])

3 With respect to claims 4, 32 Warsta in view of Malik teaches: wherein said
4 storing an item of multimedia content comprises storing said item of multimedia content
5 together with an original content identifier (ID) that uniquely identifies said content. (“the
6 adapted content is cached within database 616 and indexed according to content ID
7 and terminal type” Warsta paragraph [0058]; Also “such as checksum determination”
8 Malik column 5 line 30)

9 With respect to claims 5, 33 Warsta in view of Malik teaches: storing said item of
10 multimedia content in its original form. (“Not only are network elements 108 and 110
11 capable of caching or otherwise storing content 104, but they are also able to
12 cache/store (hereinafter “cache”) the various adaptations of content 104” Warsta
13 paragraph [0029]; Also “stores the attachment file” Malik column 5 line 40)

14 With respect to claims 6, 34 Warsta in view of Malik teaches: storing said item of
15 multimedia content such that said content may be partly or wholly reconstituted. (“Not
16 only are network elements 108 and 110 capable of caching or otherwise storing content
17 104, but they are also able to cache/store (hereinafter “cache”) the various adaptations
18 of content 104” Warsta paragraph [0029]; Also “The mail store then creates a link in the
19 record of the header database to the attachment in the cache portion” Malik column 5
20 line 61)

21 With respect to claims 7, 35 Warsta in view of Malik teaches: receiving said
22 original content ID from a provider of said content. (See Warsta Figure 5 content IDs as

1 filenames; also “The duplication checker next identifies the properties associated with
2 the attachment file in the file header, which may include any of: title/name . . .” Malik
3 column 6 line 35)

4 With respect to claims 8, 36 Warsta in view of Malik teaches: further comprising
5 generating said original content ID by applying either of a predefined hashing method
6 and a predefined fingerprinting method to said content and using either of the resulting
7 hash and fingerprint as said original content ID. (“the adapted content is cached within
8 database 616 and indexed according to content ID and terminal type” Warsta paragraph
9 [0058]; also “such as checksum determination” Malik column 5 line 30)

10 Regarding claims 9, 37, Warsta teaches: associating said original content ID with
11 different transcoded versions of said content. (“the adapted content is cached within
12 database 616 and indexed according to content ID and terminal type” Warsta paragraph
13 [0058])

14 Regarding claims 10, 38, Warsta teaches: sending a notification to said first
15 multimedia device indicating that said content is available for download to said
16 multimedia device. (“The M-Notification.ind inform mobile terminal 316 about the
17 contents of received message 326 and its purpose is to allow mobile terminal 316 to
18 fetch multimedia message 326 from MMSC 320” Warsta paragraph [0050])

19 Regarding claims 11, 39, Warsta teaches: delivering said firstly transcoded
20 content to said first multimedia device in an MMS message. (“The messaging
21 capabilities include mobile originated messages sent to other mobile terminals or

1 applications and application originated messages sent to mobile terminals or other
2 applications” Warsta paragraph [0044]; See also Warsta paragraph [0033])

3 Regarding claims 12, 40, Warsta in view of Malik teaches: delivering said firstly
4 transcoded content to said first multimedia device, in an mms message, together with
5 any of said content IDs. (“extraction of certain attachment file header information.” Malik
6 column 5 line 30)

7 Regarding claims 13, 41, Warsta in view of Malik teaches: receiving said firstly
8 transcoded content from said multimedia device in an MMS message; and (“Some of
9 the recipients may in turn forward this e-mail communication to other groups of
10 recipients.” Malik column 2 line 15)

11 Regenerating said content ID of said firstly transcoded content. (“generate file
12 identification information. . . . such as checksum determination, or extraction of certain
13 attachment file header information.” Malik column 5 line 30; Also “The duplication
14 checker next identifies the properties associated with the attachment file in the file
15 header” Malik column 6 line 35)

16 Regarding claims 14, 42, Warsta in view of Malik teaches: wherein said
17 regenerating step comprises regenerating said content ID of said firstly transcoded
18 content using the same method used to generate said content ID of said firstly
19 transcoded content. (“generate file identification information. . . . such as checksum
20 determination, or extraction of certain attachment file header information.” Malik column
21 5 line 30)

22

1 Claims 17-21, 26-28, 45-49, are rejected under 35 U.S.C. 103(a) as being
2 unpatentable over Warsta et al. (US 2004/0181550), in view of Malik (U.S. 7,003,551),
3 in view of Kobata (US 2002/0077986).

4 With respect to claims 17, 45, Warsta in view of Malik does not teach protecting
5 transcoded content with a content protection key (CPK). Kobata teaches said limitation,
6 “the digital asset may be stored in an encrypted format. . . decrypting the digital asset
7 may include retrieving a key from the intermediate server” (Kobata paragraph [0035]). A
8 person of ordinary skill in the art would have modified Warsta in view of Malik with
9 Kobata by including in the message table a digital rights manager of the form described
10 in Kobata. It would have been obvious at the time the invention was made to a person
11 of ordinary skill in the art to modify the combination to provide “secure [] communication
12 and control of digital assets” (Kobata Abstract)

13 With respect to claims 18, 46, Warsta in view of Malik does not teach identifying
14 any rights associated with providing said content to any of said multimedia devices;

15 Generating at least one entitlement as a function of said rights; and

16 Providing said content to any of said multimedia devices in accordance with said
17 entitlement. (“Furthermore depending on the digital rights defined for a particular copy
18 or form of digital content 320, the end-user may be able to forward the digital content”
19 Kobata paragraph [0124]). A person of ordinary skill in the art would have modified
20 Warsta in view of Malik with Kobata by including in the message table a digital rights
21 manager of the form described in Kobata. It would have been obvious at the time the

1 invention was made to a person of ordinary skill in the art to modify the combination to
2 provide "secure [] communication and control of digital assets" (Kobata Abstract)

3 With respect to claims 19, 47, Warsta in view of Malik does not teach determining
4 if said copy of said firstly transcoded content is protected;

5 If said copy is protected, determining if said content may be forwarded to said
6 second multimedia device as indicated by any rights associated with either of said
7 content and the recipient of said firstly transcoded content; and

8 If said content may be forwarded, protecting and forwarding said secondly
9 transcoded content to said second multimedia device. ("Furthermore depending on the
10 digital rights defined for a particular copy or form of digital content 320, the end-user
11 may be able to forward the digital content" Kobata paragraph [0124]). A person of
12 ordinary skill in the art would have modified Warsta in view of Malik with Kobata by
13 including in the message table a digital rights manager of the form described in Kobata.
14 It would have been obvious at the time the invention was made to a person of ordinary
15 skill in the art to modify the combination to provide "secure [] communication and control
16 of digital assets" (Kobata Abstract)

17 With respect to claims 20, 48, Warsta in view of Malik in view of Kobata teaches:
18 protecting said secondly transcoded content with a content protection key (CPK)
19 associated with said secondly transcoded content. ("The tracking techniques may be
20 employed to implement "super-distributions" in which users to which a digital asset is
21 distributed are authorized to redistribute the digital asset to other users (though perhaps
22 with more limited rights)." Kobata paragraph [0021])

1 With respect to claims 21, 49, Warsta in view of Malik in view of Kobata teaches:
2 wherein said first determining step comprises determining that said copy of said firstly
3 transcoded content is protected by identifying a CPK stored in association with the
4 content ID. ("As an alternative, rights may be stored locally but separately from the
5 digital asset with a link to the digital asset" Kobata paragraph [0023])

6 With respect to claim 26, Warsta teaches: A multimedia content distribution
7 system comprising:

8 An MMS server;

9 An MMS relay; ("MMSC" Warsta paragraph [0044]. MMSC as defined by the
10 applicant includes an MMS server which controls storage (Warsta paragraph [0044])
11 and an MMS relay which controls transcoding (Warsta paragraph [0052]) and delivery
12 (Warsta paragraph [0044]))

13 A transcoder; and ("For each distinct mobile terminal capability type, a content
14 adaptation is prepared for each mobile terminal capability type" And generally Warsta
15 paragraph [0061])

16 Wherein said MMS server, MMS relay, transcoder are individually or
17 cooperatively operative to:

18 Store an item of multimedia content as stored multimedia content;
19 ("MMSC is responsible for storing incoming and outgoing MMS messages, as well as
20 the transfer of messages between different messaging systems" Warsta paragraph
21 [0044])

1 Firstly transcode said multimedia content for playback on a first
2 multimedia device, thereby producing a firstly transcoded version of said multimedia
3 content; ("The requesting network device capabilities are compared to previous
4 requesting network device capabilities, such that if a capability match is found,
5 previously adapted content may be transmitted to the requesting network device" And
6 generally Warsta paragraph [0024])

7 Generate a content ID of said firstly transcoded version of said multimedia
8 content;

9 Store said content ID of said firstly transcoded version of said multimedia
10 content, as stored first content ID, in association with said stored multimedia content;
11 ("the adapted content is cached within database 616 and indexed according to content
12 ID and terminal type" Warsta paragraph [0058])

13 transcode said stored multimedia content for playback on said
14 second multimedia device content for playback on said second multimedia device. ("The
15 requesting network device capabilities are compared to previous requesting network
16 device capabilities, such that if a capability match is found, previously adapted content
17 may be transmitted to the requesting network device, obviating the need for an
18 additional adaptation." And generally Warsta paragraph [0024]; Also, "Not only are
19 network elements 108 and 110 capable of caching or otherwise storing content 104, but
20 they are also able to cache/store (hereinafter "cache") the various adaptations of
21 content 104" Warsta paragraph [0029])

22 Warsta does not explicitly recite:

1 A DRM server,

2 Receive an instruction, via a multimedia message service (MMS) message, to
3 forward said item of multimedia content to a second multimedia device, said instruction
4 comprising a copy of said firstly transcoded version of said multimedia content; and

5 perform the following in response to said instruction:

6 access said stored content using said stored first content ID of said
7 firstly transcoded version of said multimedia content, comprising:

8 generating a received content ID of said stored copy of said
9 firstly transcoded version of said multimedia content; and

10 looking up said stored multimedia by
11 comparing said received content ID with said stored first content ID; and

12 Malik teaches:

13 Receive an instruction, via a multimedia message service (MMS) message, to
14 forward said item of multimedia content to a second multimedia device, said instruction
15 comprising a copy of said firstly transcoded version of said multimedia content; and

16 (“Some of the recipients may in turn forward this e-mail communication to other groups
17 of recipients.” Malik column 2 line 15)

18 perform the following in response to said instruction:

19 access said stored content using said stored first content ID of said
20 firstly transcoded version of said multimedia content, comprising:

21 generating a received content ID of said stored copy of said
22 firstly transcoded version of said multimedia content; and (“The duplication checker next

1 identifies the properties associated with the attachment file in the file header” Malik
2 column 6 line 35)

3 looking up said stored multimedia by comparing said
4 received content ID with said stored first content ID; and (“processing step
5 generates information by which the attachment file comparison section 26 of the
6 duplication checker 24 can search the attachment file storage database 28 for
7 identical attachment files” Malik column 5 line 35)

8 A person of ordinary skill in the art at the time of invention would have combined
9 Warsta with Malik by including the mail store (item 23 figure 2 of Malik) with the MMSC
10 (item 320 of figure 3 of Warsta) to store attachments (item 29a figure 2 of Malik) and
11 content (Figure 5 of Warsta), thereby allowing forwarding and content ID lookups of
12 Malik by including a message table with forwarding functionality as described in Malik in
13 the invention of Warsta. It would have been obvious at the time the invention was made
14 to a person of ordinary skill in the art to include a 'mail store' in Warsta in order to
15 consolidate the storage for forwarded communications (Malik column 2 line 40).

16 Furthermore, Warsta in view of Malik does not disclose A DRM server.

17 Kobata teaches a DRM server: “Fig. 3 shows a computer device 310 in
18 communication with a server-based global rights manager unit” (Kobata paragraph
19 [0116]). A person of ordinary skill in the art would have modified Warsta in view of Malik
20 with Kobata by including in the message table a digital rights manager of the form
21 described in Kobata. It would have been obvious at the time the invention was made to

1 a person of ordinary skill in the art to modify the combination to provide "secure []
2 communication and control of digital assets" (Kobata Abstract)

3 With respect to claim 27, Warsta in view of Malik in view of Kobata teaches:
4 wherein any of said MMS server, MMS relay, transcoder, and DRM server are
5 individually or cooperatively operative to track whom said content is sent and with what
6 rights. ("The server may maintain a virtual database of digital assets and may use the
7 database in implementing functions such as data mining, tracking, and monitoring of
8 rights consumption" Kobata paragraph [0018])

9 With respect to claim 28, Warsta in view of Malik in view of Kobata teaches:
10 wherein said DRM server acts as either of a probe and a proxy between any of said
11 MMS server, said MMS relay, and said transcoder. ("The server-based approach to
12 communicating digital assets provides a number of other advantages. . . . it may be
13 used to control digital asset delivery. . ." Kobata paragraph [0024])
14

15 Claims 58-60 are rejected under 35 U.S.C. 103(a) as being unpatentable over
16 Warsta et al. (US 2004/0181550), in view of Malik (US 7,003,551), in view of Mattis et
17 al. (US 6,128,623, cited in OA dated 7/06/2009)

18 With respect to claim 58-60, Warsta in view of Malik teaches: wherein said
19 generating a content ID of said firstly transcoded version of said multimedia content
20 comprises:

21 Applying either of the following to said firstly transcoded version of said
22 multimedia content, and producing a result:

1 A predefined hashing method; and

2 A predefined fingerprinting method; and (“generate file identification
3 information. . . . such as checksum determination, or extraction of certain attachment file
4 header information.” Malik column 5 line 30)

5 Using said result as said [received] content ID.

6 Warsta in view of Malik does not teach that the content ID and the received
7 content ID are fingerprinted/hashed, while “looking up said stored multimedia content by
8 comparing said received content ID with said stored first content ID” as recited in claim
9 1. Mattis teaches such an element. “this two-level indexing structure facilitates the ability
10 to associate multiple alternate objects with a single name” (Mattis column 8 line 23).
11 “Unlike other cache systems that use the name or URL of an object as the key by which
12 the object is referenced, embodiments of the invention use a “fingerprint” of the content
13 that makes up the object itself, to locate the object.” (Mattis column 8 line 28). “each
14 name key in the directory table 110 maps to one of the vectors of alternates 122a-n,
15 which enable the cache to select one version of an object from among a plurality of
16 related versions. For example, the object 52 may be a Web page ad server 40 can store
17 versions of the object in the English, French, and Japanese languages.” (Mattis column
18 14 line 33). A person of ordinary skill in the art would have modified Warsta in view of
19 Malik by using duplicate detection according to the ‘fingerprint’ method of Mattis, and
20 further included the two-level indexing of Mattis by incorporating the relevant data
21 structures into the cache of Warsta in view of Malik. It would have been obvious at the

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1 time the invention was made to a person of ordinary skill in the art to modify Warsta in
2 view of Malik with Mattis in order to have an efficient web proxy.

3
4 ***Conclusion***

5 **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time
6 policy as set forth in 37 CFR 1.136(a).

7 A shortened statutory period for reply to this final action is set to expire THREE
8 MONTHS from the mailing date of this action. In the event a first reply is filed within
9 TWO MONTHS of the mailing date of this final action and the advisory action is not
10 mailed until after the end of the THREE-MONTH shortened statutory period, then the
11 shortened statutory period will expire on the date the advisory action is mailed, and any
12 extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of
13 the advisory action. In no event, however, will the statutory period for reply expire later
14 than SIX MONTHS from the mailing date of this final action.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Chao whose telephone number is (571)270-5657. The examiner can normally be reached on 8-4 Monday through Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Philip Lee can be reached on (571)272-3967. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/M. C./
Examiner, Art Unit 2442

/Philip C Lee/
Acting Supervisory Patent
Examiner, Art Unit 2442